

**REMARKS**

In view of the above amendments and the following remarks, reconsideration and withdrawal of the objections and rejections set forth in the Office Action of December 22, 2004 are earnestly solicited.

Claims 2 and 7 have been amended to clarify Applicants' invention. These amendments do not narrow the scope of the claims. Claims 1—7 remain pending in the application.

A substitute Declaration is submitted herewith.

**Rejection Under 35 U.S.C. § 112**

Claims 2 and 7 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. The rejection is respectfully traversed.

The above amendments to Claims 2 and 7 are believed to moot the rejection, and its withdrawal is respectfully requested.

**Rejection Under 35 U.S.C. § 103**

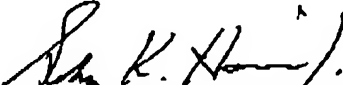
Claims 1—7 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the admitted prior art in view of Nangle (US 6,687,496) and the Intel article. The rejection is respectfully traversed.

The art of record, including Nangle, is silent as to Applicants' hybrid flashing method utilizing both wired and wireless downloading to reprogram a memory module. Nangle only speaks to total replacement of wired downloading—not the use of both wired

and wireless downloading. Nangle's teaching of the "retrofit" of an existing device does not include wired downloading in such a retrofit—only wireless downloading is disclosed. To extend Nangle's teachings to a hybrid method using first a wired download and then a wireless download is, it is respectfully submitted, improper hindsight use of applicants' disclosure. Claims 1—7 are believed to be patentable over the prior art.

Claims 2 and 7, as amended herein, and Claims 1 and 3—6, as originally submitted are believed to be in condition for allowance, early acknowledgment of which is requested.

Respectfully submitted,

Dated: March 31, 2005 By:   
Gordon K. Harris, Jr., Reg. No. 28,615  
(248) 944-6524

Attorney for Applicants

Ralph E. Smith, Reg. No. 35,474  
CIMS 483-02-19  
DaimlerChrysler Intellectual Capital Company LLC  
DaimlerChrysler Technology Center  
800 Chrysler Drive East  
Auburn Hills, MI 48326-2757  
248-944-6519